

Remarks/Arguments

Claims 1-3, 8-12, 14, 17-32, and 36-59 of the application remain in the application. The Examiner has acknowledged that claims 23-32 and 36-38 are directed to allowable subject matter. Claims 8-10, 12, 14, and 17-22 have been objected to and would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 4-6, 13, 15, 16, and 33-35 were previously withdrawn from consideration by the Examiner as drawn to nonelected species. Claims 46-48 have been added by the Applicants.

The June 14, 2006 Office Action indicated that it was in response to Applicants' arguments filed on April 6, 2006, however, no arguments were filed on that date. In amendments filed by the Applicants on November 4, 2005, the Applicants rewrote objected-to claims 23-32 and 38-38 to include the limitations of the base claims and any intervening claims. In the present Office Action the Examiner allowed these rewritten claims. Accordingly, Applicants understand that the present Office Action addresses the arguments and amendments dated November 4, 2005.

Independent claims 1 and 43 are amended to require that *at all orientations* the evaporator be substantially full of liquid coolant. This amendment is supported by the Applicants' specification, for example, at page 12, lines 11-13, as well as FIGS. 3 and 6-15 and accompanying text.

Claim 8 is amended to incorporate the limitations of claim 1 to overcome the objection to claims 8-10. Claim 12 is amended to incorporate the limitations of claim 1 to overcome the objection to claims 12, 14, and 17-22. All such claims are in condition for allowance. In addition,

because claim 12 is allowable, previously withdrawn claims 13, 15, 16, and 33-35, which depend directly or indirectly from claim 12 and include all the limitations thereof, are allowable.

Claims 28, 31, and 38 are amended to correct typographic errors. Claim 28 is also amended to correct a minor editorial error, which makes it consistent with the language of claims 31 and 38.

Claim 39 is amended to clarify the recital of the symmetrical geometry of the evaporator and condenser about a central plane. This amendment is supported by, for example, FIGS. 3, 7, 8, and 13, as well as claim 12.

Claim 41 is amended to eliminate the recital of the symmetrical geometry of the evaporator and condenser about a central plane. Claim 42 is amended to reflect the amendment to claim 41.

New claims 45 and 46 are directed to a thermosyphon including an evaporator that *at all orientations* is substantially full of liquid coolant, but unlike claim 1 a boiling enhancement structure is not recited.

Claim Rejections – 35 USC § 102 – DiGiacomo et al.

The Examiner rejected claims 1-3, 43, and 44 under 35 U.S.C. § 102(e) as anticipated by DiGiacomo et al., US Patent No. 6,085,831 (“DiGiacomo”). The Examiner recited each element of each claim and indicated that each element was disclosed in DiGiacomo. In order to anticipate a claim, the reference must disclose all elements of the claim.

As amended herein, claims 1 and 43 each provide a thermosyphon that includes an evaporator that is kept *substantially full at all orientations*. DiGiacomo does not disclose such a feature, and accordingly cannot anticipate claims 1 or 43. For example, if the DiGiacomo device as

shown in FIG. 1 were inverted, the part the Examiner refers to as the evaporator would be empty. Nor is the recited combination of elements obvious based on DiGiacomo in view of any other cited reference; no reference discloses a thermosyphon that includes an evaporator that is full at any orientation.

With respect to claims 2, 3, and 44, such claims depend directly or indirectly from allowable independent claims 1 or 43, including all of the limitations therein, and are therefore also allowable for the same reasons discussed above. In addition, because claim 1 is allowable previously withdrawn claims 4-6, which depend directly or indirectly from claim 1 and include all the limitations thereof, are allowable.

Claim Rejections – 35 USC § 103 – DiGiacomo et al. in view of Anderson et al.

The Examiner rejected claims 11 and 39-42 under 35 U.S.C. 103(a) as being obvious with respect to DiGiacomo in view of Anderson et al. US Patent No. 5,761,037 (Anderson).

Amended claim 39 recites a geometry of a thermosyphon that is neither taught nor suggested by either cited reference. Claims 39 and 41 both recite a thermosyphon including an evaporator that is kept substantially full at all orientations, also neither taught nor suggested by either cited reference. Anderson purports to disclose an evaporator that is orientation independent in use, but does not disclose or suggest one that is kept substantially full at any orientation. Accordingly, claims 39 and 41 are nonobvious and allowable.

With respect to claims 11, 40, and 42, such claims depend directly or indirectly from allowable independent claims 1, 39, or 41, including all of the limitations therein, and are therefore also allowable for the same reasons discussed above.

Allowable Subject Matter

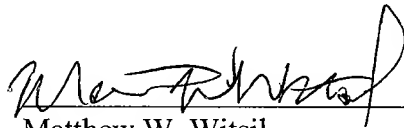
The Applicants appreciate the Examiner's acknowledgement of claims 23-32 and 36-38 as including allowable subject matter and claims 8-10, 12, 14, and 17-22 as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

If the Examiner has any questions about the present Reply, a telephone interview is respectfully requested.

As the rejections entered by the Examiner in the Official Action dated June 14, 2006 have been shown to be inapplicable, reconsideration and allowance of all claims that have not been canceled, and passage of these claims to issue, is hereby respectfully requested.

Respectfully submitted,

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Matthew W. Witsil
Registration No. 47,183
Moore & Van Allen
Attorney for Applicants
2200 West Main Street, Suite 800
Durham, NC 27705
(919) 286-8000 (telephone)
(919) 286-8199 (facsimile)